



CITY COMMISSION MEETING 1-28-20

Agenda Item

Request Form



ITEM: Final reading of Ordinance 2719.1 amending the Future Land Use Map of the City to reflect a land use designation of General Commercial for the property located at Parcel # 20396-000-000, 20397-000-000, 20401-000-000, 20403-000-000, 20404-000-000, 20405-000-000.

BACKGROUND INFORMATION: The applicant would like to change the land use and zoning to be able to build a commercial hotel. Parcel #20397-000-000 has a single family home that will be demolished, all the others are vacant. Larry L Adair, Trustee of the sixth street land trust no. 2 Owner and Applicant.

The Planning Board considered this item on December 9, 2019. The request was approved unanimously.

DEPARTMENT HEAD RECOMMENDATION: Conduct a final reading of the ordinance.

ORDINANCE NO. 2719.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF GENERAL COMMERCIAL FOR A PARCEL OF PROPERTY LOCATED AT PARCEL #s 20396-000-000, 20397-000-000, 20401-000-000, 20403-000-000, 20404-000-000, 20405-000-000, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY, FLORIDA;

WHEREAS, the Legislature adopted Chapter 163, laws of Florida, which requires the City of Panama City to prepare and adopt and enforce a comprehensive plan; and

WHEREAS, the Panama City Planning Board held a Public Hearing to consider Proposed Comprehensive Plan Amendment PB 20-15 on December 9, 2019, and recommended the Amendment be approved by the Panama City Commission for adoption, and

WHEREAS, the City Commission of the City of Panama City held a first reading on January 14, 2020, and a Public Hearing and second reading on January 28, 2020, to adopt Comprehensive Plan Amendment PB 20-15, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and having provided for necessary revisions; and,

WHEREAS, in exercise of its authority, the City Commission of the City of Panama City, Florida, finds it necessary and desirable to adopt and does hereby adopt Comprehensive Plan amendment PB 20-15, in order to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Panama City, as follows:

Section 1: Purpose and Intent.

The land use designation of the identified parcel shall be and hereby is changed from a Land Use designation of Mixed Use to General Commercial as described in Small Scale Amendment PB 20-15, with said property having the following legal description:

Lots 6 and 7, Block 5-A, of BUNKERS COVE, being H.
L. SUDDUTH'S FIRST ADDITION TO PANAMA CITY,
According to The Plat thereof recorded in Plat Book 1 at page 30 of the Public Records of Bay County, Florida.

Parcel Identification No. : 20396-000-000

Lots 8 and 9 Block 5A, of BUNKER'S COVE , being H. L. SUDDUTH'S FIRST ADDITION to Panama City, Florida, located In Section Nine (9), Township Four (4) South, Range Fourteen (14) West, according to the map now on file in the Office of the Clerk of the Circuit Court.

Parcel Identification No. : 20397-000-000

Lots 15, 16 and 17 and the East Half (E 1/2) of Lot 18, Block 5-A, Bunker's Cove being H. L. Sudduth'. First Addition to Panama City, Florida as per plat thereof recorded in Plat Book 1, Page 30 of the Public Records of 'Bay County, Florida.

Parcel Identification No: 20401-000-000

Lot 19 and the West Half (W 1/2) of Lot 18, Block 5-A, Bunker's Cove being H. L. Sudduth's First Addition to Panama City, Florida as per plat thereof recorded in Plat Book 1 Page 30 of the Public Records of Bay County, Florida.

Parcel Identification No: 20403-000-000

Lots 20, 21 and the East 2 feet of Lot 22, Block 5-A, Bunker's Cove being H. L. Sudduth's First Addition to Panama City, Florida as per plat thereof recorded in Plat Book 1, Page 30 of the Public Records of Bay County, Florida.

Parcel Identification No: 20404-000-000

The East 14 feet of Lot 22, less the East 2 feet in Block 5-A, Bunker's Cove being H. L. Sudduth's First Addition to Panama City, Florida as per plat thereof recorded in Plat Book 1, Page 30 of the Public Records of Bay County, Florida.

Parcel Identification No: 20405-000-000

For Map of Property see “Exhibit A.”

Section 2: Comprehensive Plan Amendment.

The City of Panama City Comprehensive Plan is hereby amended as set forth in and incorporated herein by reference, and consists of a Future Land Use Map Amendment.

Section 3: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance and the City of Panama City Comprehensive Plan shall remain in full force and effect.

Section 4. Copy on File.

An official, true and correct copy of all elements of the Panama City Comprehensive Plan as adopted and amended from time to time shall be maintained by the City Manager or his designee.

Section 5: Effective Date of Amendment.

This amendment shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency (DEO) or the Administration Commission, respectively, issues a final order determining the adopted small scale development amendment is in compliance. (§163.3187, F.S.)

PASSED, APPROVED AND ADOPTED at the regular meeting of the Mayor and City Commission of the City of Panama City, Florida, the 28th day of January, 2020.

**CITY OF PANAMA CITY, FLORIDA
A Municipal Corporation,**

By _____
Greg Brudnicki, Mayor

ATTEST:

Brandy Waldron, Interim City Clerk-Treasurer

Exhibit A: Petition to Amend the Comprehensive Plan Future Land Use Map

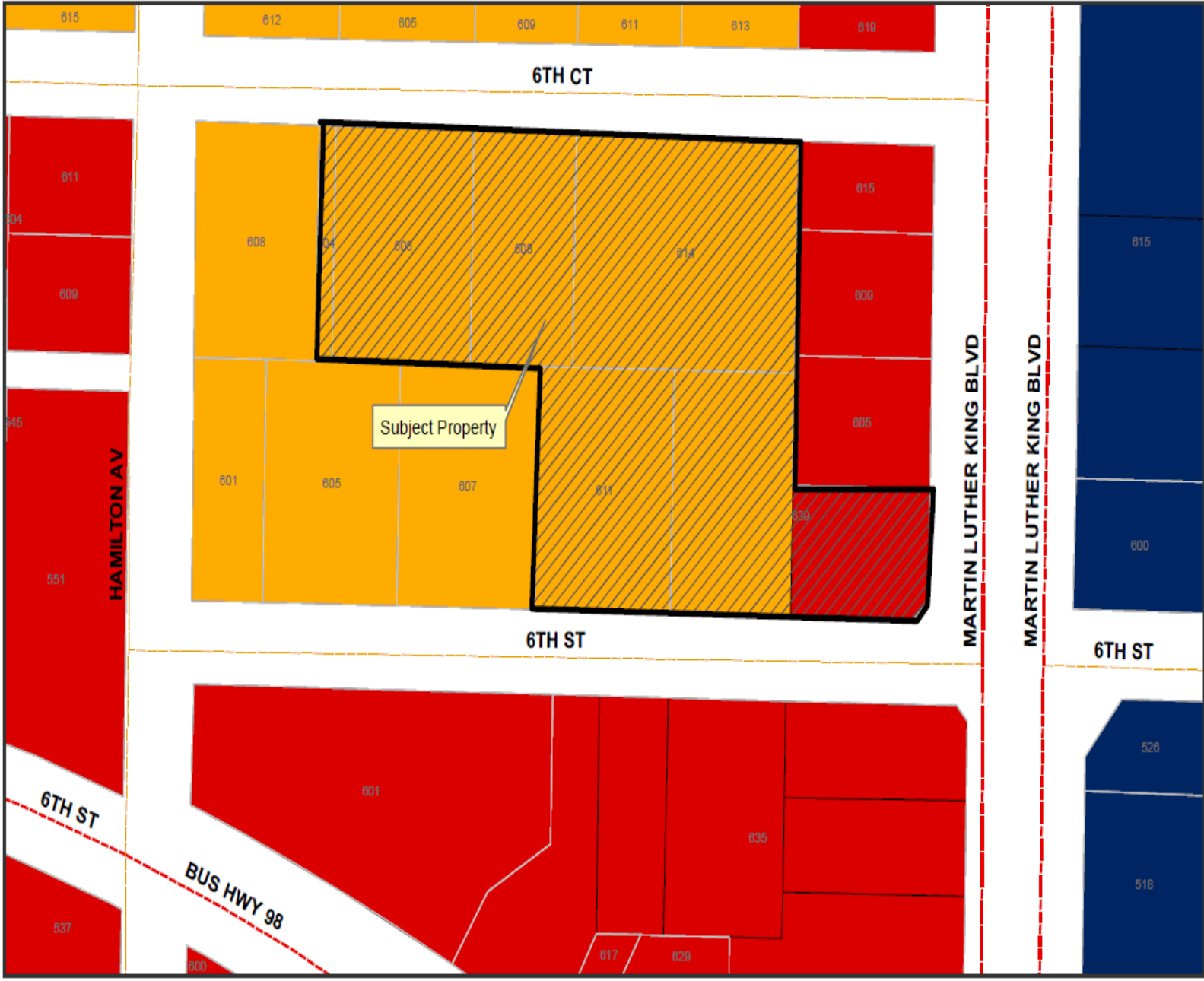


Exhibit A

FLUM
City of Panama City

Legend

- | | | | |
|--------------------|----------------------|--------------------|---------|
| Downtown District | Industry | Residential Vested | Ditch |
| Residential | Mixed Use | Silviculture | Lake |
| General Commercial | Preservation | Urban Community | Water |
| | Public/Institutional | Urban Residential | Parcels |
| | Recreation | Bay | |



1 inch = 83 feet



City of Panama City Planning and Economic Development Department
STAFF REPORT
Planning Board Applications for December 9, 2019

Staff findings of consistency with the pertinent Florida Statutes, the Community Planning and Land Development Regulations (hereafter referred to as the LDRs) and the Comprehensive Plan (hereafter referred to as the Comp Plan) along with the staff recommendations are as follows:

Request Three

Type of Application: SSLUA/Rezone

Case Number: PB 20-15

Applicant/ Owner: Larry L Adair, Trustee of the sixth street land trust no. 2 Owner and Applicant

Location of Property: E 6th St

Parcel ID Numbers: Parcel # 20396-000-000, 20397-000-000, 20401-000-000, 20403-000-000, 20404-000-000, 20405-000-000

Background: The applicant would like to change the land use and zoning to be able to build a commercial hotel.

Special Treatment Zone: Downtown North CRA

Wetlands: N/A

Coastal High Hazard Area / Hurricane Vulnerability Zone: N/A

Flood Zone: X (Source: 2009 FEMA maps)

Area of Subject Property: 2.05 +/- acres (Source: Bay County Property Appraiser).

	Land Use	Zoning
Change From:	Mixed Use	Mixed Use 2 MU-2
Change To:	General Commercial	General Commercial 2 GC-2

Current use of the property: Parcel #20397-000-000 has a single family home, all the others are vacant.

Proposed Use of the property: The owner would like to use this property to build a commercial hotel.

Directors' Report:

Utilities Director: Water and sanitary sewer is available to these properties.

Comprehensive Plan Objectives and Policies:

Future Land Use Element

Policy 1.1.1: The City shall regulate land use through designation of land use districts on a Future Land Use Map. The Future Land Use Map shall be used to determine the location and extent of development within the City consistent with conservation of natural resources, availability of public facilities and services, and compatibility of adjacent land uses. Land Use districts depicted on the Future Land Use Map shall be described as follows. (In the following descriptions of Future Land Use categories, density standards shall apply to residential development and intensity standards shall apply to non-residential development.)

Sec. 104-38. - General Commercial-2 (GC-2) zoning district.

The purpose of this zoning district is to provide areas for neighborhood commercial activity including retail sales and services, professional offices and services, and other similar land uses. (a) Development on parcels designated as General Commercial-2 (GC-2) on the zoning map shall:

1. Confine ground and building lighting to the property and without causing direct light to protrude on adjacent properties.
2. Screen garbage receptacles, trash containers, and dumpsters from public view, using opaque materials.
3. Provide off-street parking as specified in Chapter 108.
4. Conform to the landscaping and buffering requirements as specified in Chapter 107.
5. Not include any residential development, except apartment complexes.
6. The exterior of building facades visible from Highway 98 or Harrison Avenue shall not be constructed of metal unless: i. such wall is not visible by a pedestrian standing within the vehicular right-of-way of Highway 98 or Harrison Ave; or ii. such wall is completely covered by one or more of the following materials: n Brick n Stone n Stucco n Synthetic stucco n Cementitious materials n Exterior insulation n Wood siding, provided finish system that such siding is (EIFS) applied with no panel exceeding twelve (12) inches in height n Other non-ferrous material may be permissible, if determined by the Planning Dept. as a matter of fact to be aesthetically comparable & at least as opaque, weather resistant, & permanent as the materials listed above (b)

The following bulk regulations shall apply to property zoned as GC-2:

- (1) No maximum height.
- (2) The impervious surface ratio shall be no greater than 0.90 of the total parcel area.
- (3) The floor area ratio shall not exceed 3.0.
- (4) Minimum setbacks shall be:
 - Fifteen feet from the front parcel line.
 - Twenty feet from the rear parcel line.
 - Five feet from the side parcel lines.

Except setbacks for developments that are adjacent to zoning districts which allow residential uses shall be:

- Fifteen feet from the front parcel line.
- Twenty Five feet from the rear parcel line.

Twelve feet from the side parcel lines.

(c) The following uses are allowed in GC-2 zoning districts; all other uses are prohibited:

1. All uses allowable in the GC-1 zoning district
2. Shopping centers.
3. Vehicle dealers and repair shops (excluding scooter rental /sales).
4. Adult entertainment subject to the requirements of Chapter 7, Article III of the Municipal Code.
5. Big box retailers.
6. Printing, publishing or other similar establishments.
7. Business park.
8. Wholesaling, warehousing, and indoor storage of goods or materials.
9. Public utilities with exception to solid waste facilities and landfills.
10. Cannabis Dispensing Facilities, and
11. Other similar uses.

Land Development Regulations:

Section 102-82(e)

Stipulates that a land use change requires the Planning Board to determine a positive finding for the proposed Comprehensive Plan Amendment and/or rezoning request on the following four (4) criteria:

1. *Not degrade the established level of services in the Comprehensive Plan or the minimum concurrency requirements.*

This impact is de minimis, which is not subject to concurrency review.

2. *In harmony with the general intent of the Comprehensive Plan. (Goals listed as applicable.)*

The goal of the Future Land Use Element of the Comprehensive Plan (Goal 1A) is to establish a defined pattern of land use guiding the provisions of public facilities and providing predictability in managing development. This request fits within the general intent of this Element.

The goal of the Utilities Element, Sanitary Sewer Sub-Element (Goal 4A) is to provide adequate sewage capacity and collection facilities to accommodate anticipated population demand.

The goal of the Utilities Element, Solid Waste Sub-Element (Goal 4B) is to ensure that adequate and efficient solid waste collection is available for the City.

The goal of the Utilities Element, Potable Water Sub-Element (Goal 4D) is to provide adequate, safe and sanitary water distribution capability to accommodate existing and future demand.

No level of service standards will be exceeded by this Future Land Use map amendment.

3. *Not exceed traffic limitations, create a fire hazard, or a hazard to the public health, welfare and safety.*

This impact is de minimis, which is not subject to concurrency review

4. *Compatible with adjacent land uses and districts, and not create a potential nuisance.*

The development is located in an area with some single family homes but the majority of the area is commercial properties with surrounding land uses and zoning that match the General Commercial land use. The proposed Land Use amendment/zoning change will not create a nuisance.

Pursuant to Section 102-82(e):

The Planning Board shall not recommend approval of a plan amendment unless it makes a positive finding, based on competent evidence, on each of the following:

- (1) The proposed plan amendment will not degrade level of service standards established in the comprehensive plan, or minimum concurrency requirements;
- (2) The proposed plan amendment is in harmony with the general intent of the comprehensive plan;
- (3) The proposed plan amendment will not exceed traffic limitations, cause a fire hazard, or create a hazard to the public health, welfare and safety;
- (4) Changes in land use designations or districts must be compatible with adjacent land uses and districts, and one that will not become a potential nuisance.

Summary of Findings:

The request will not result in any deficiencies in concurrency standards. Existing development on the site is compatible with the development standards pertinent to the proposed Land Use and zoning designations. The request meets all requirements of the Comprehensive Plan and the Land Development Regulations.



Tina Scibelli
Planner I

October 25, 2019
Date

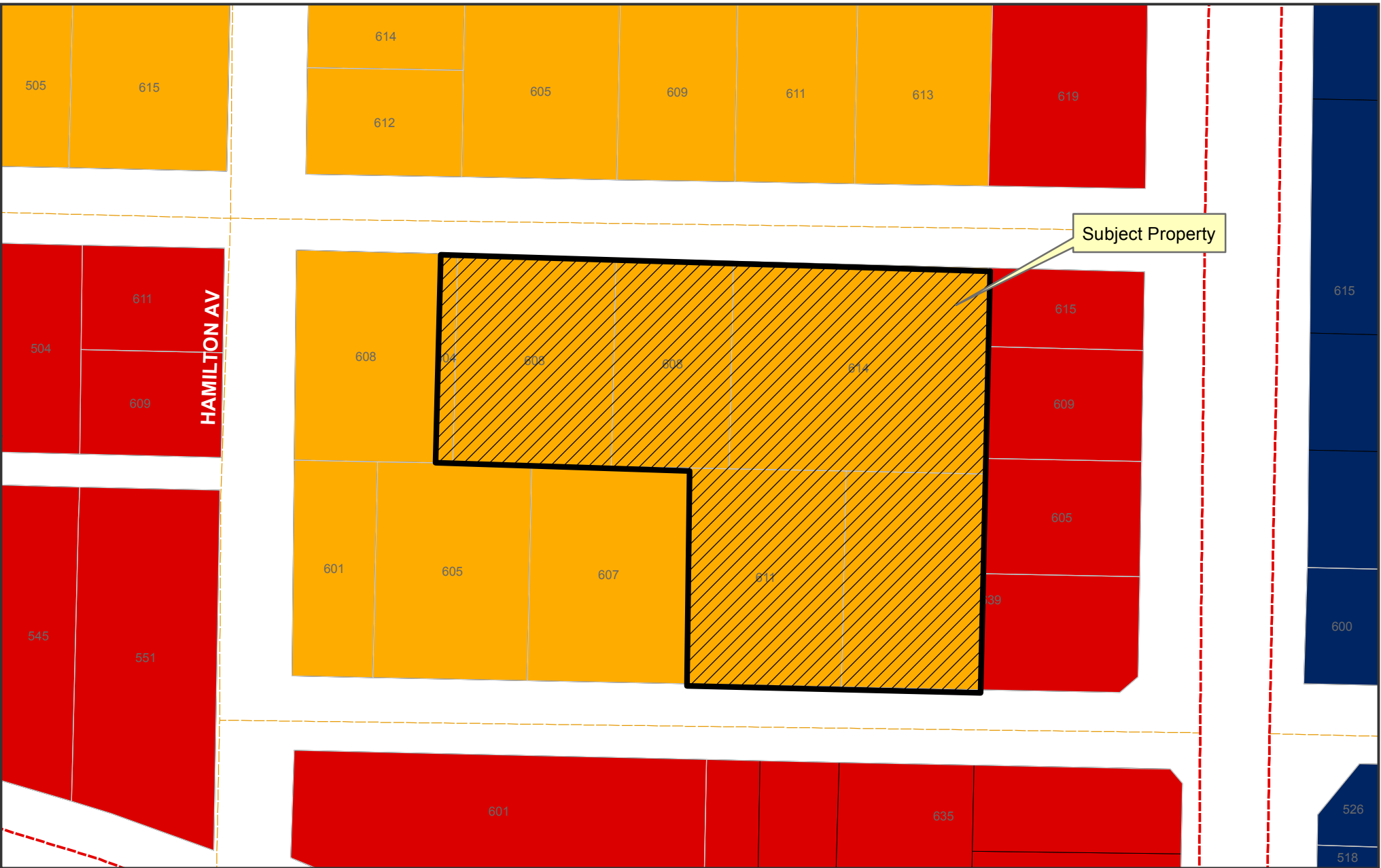


Exhibit A

**FLUM
City of Panama City**

Legend

Future Landuse

- | | | | | | |
|--------------------|------------|-------------------|----------------------|--------------------|-------|
| Downtown District | Mixed Use | Preservation | Public/Institutional | Residential Vested | Ditch |
| Residential | Recreation | Urban Community | Bay | Silviculture | Lake |
| General Commercial | | Urban Residential | | Parcels | Water |



1 inch = 83 feet

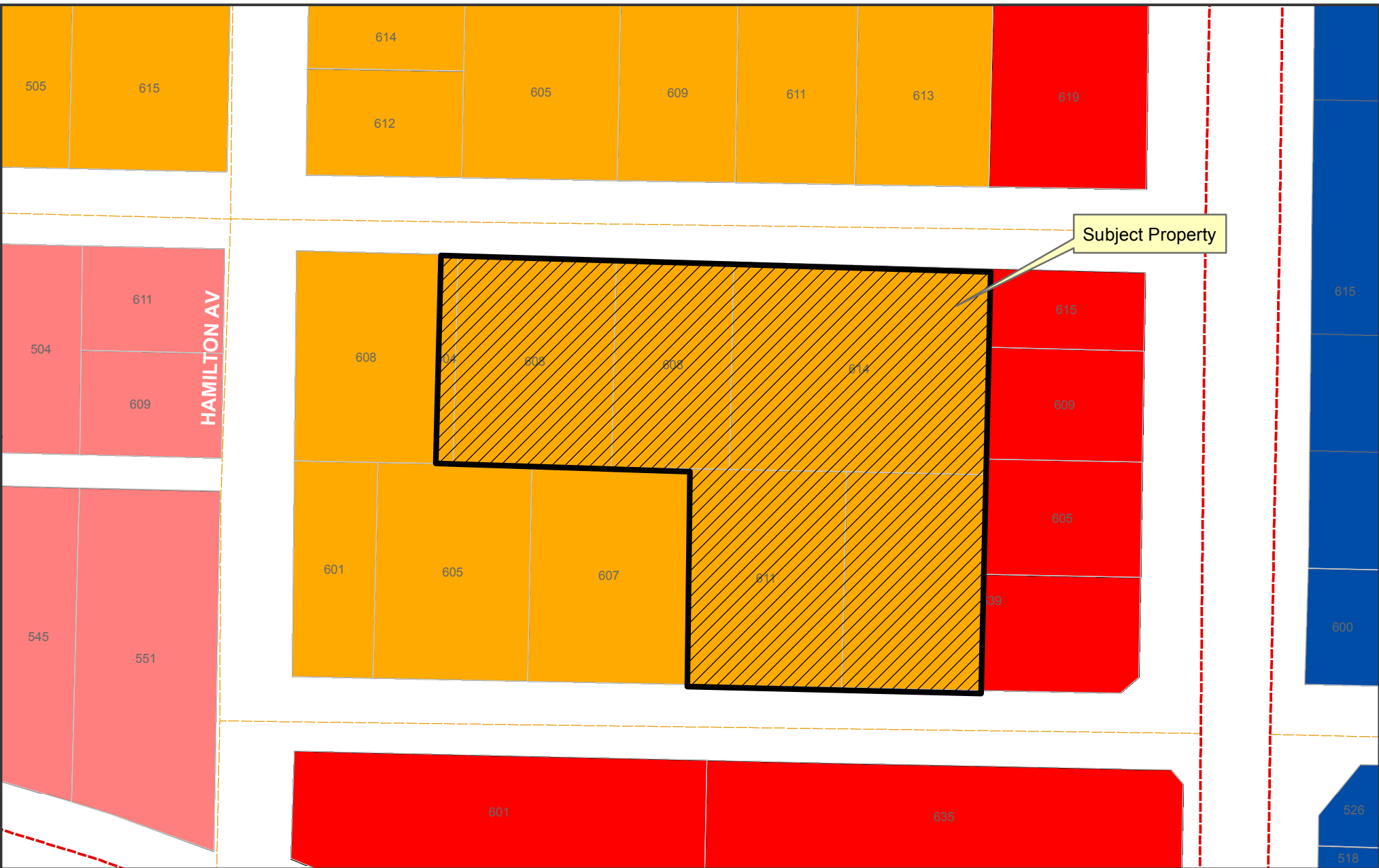


Exhibit A
Zoning Map
City of Panama City

Legend

Zoning Districts

- Downtown District
- General Commercial - 1
- General Commercial - 2
- Heavy Industry
- Light Industry

- Mixed Use - 1
- Mixed Use - 2
- Mixed Use - 3
- Planned Unit Development (PUD)
- Preservation
- Public/Institutional

- Recreation
- Residential - 1
- Residential - 2
- Silviculture
- Urban Residential 1
- Urban Residential 2

- Urban Residential
- Shoreline
- Water
- NOT ZONED
- Parcels



1 inch = 83 feet